REMARKS

This amendment is submitted in response to the Office Action dated September 6, 2007. Reconsideration and allowance of the claims is requested. In this Office Action, claims 7, 8, 9 and 11-12 are rejected as being indefinite. The language of claims 7 and 11 has been edited to eliminate this issue. Claim 9 does not have the cited language.
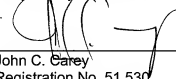
Claim 1 rejected under 35 U.S.C. 103 as unpatentable over Hvostov (US 2003/0039211) in view of Nishimaki (US 6,810,433). Claims 7, 9 and 11-12 are rejected as unpatentable over Hvostov in view of Flynn (US 5,155,854). Claims 4 and 6 are rejected under 35 U.S.C. 103 as unpatentable over Hvostov in view of Nishimaki and further in view of Pitot (US 5,375,208).

These rejections are respectfully traversed for the reasons already spelled out at length in the previous response filed on June 7, 2007. These remarks are incorporated herein by reference.

Applicant further submits herewith a declaration under 35 U.S.C. 131 to establish that the claimed invention was conceived prior to the filing date of Hvostov US 2003/0039211. The declaration clearly establishes that the inventor, Mr. Hirschsohn, conceived of his invention prior to the filing date of Hvostov and diligently proceeded to a constructive reduction to practice by filing the present US Patent application. In addition to preparing a complete invention disclosure, he conducted an interview with an attorney who prepared the application and edited the application for filing all in a diligent manner.

Based on the foregoing, the Examiner can no longer rely on Hvostov as a reference against the pending claims. The other references have been reviewed and, standing alone or in combination, do not meet the limitations of the pending claims. Therefore, consideration and allowance of the claims is requested.

Respectfully submitted,

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